

PROB 12C
(7/93)**United States District Court**

for

District of New Jersey**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Marvin Darnell Johnson

Cr.: 01-00603-001

Name of Sentencing Judicial Officer: The Honorable Nicholas H. Politan

Date of Original Sentence: 09/25/01

Original Offense: Felon in Possession of a Firearm

Original Sentence: Prison 57 months; Supervised Release 3 years; Special conditions: refrain from alcohol and drug use, alcohol and drug testing and treatment, mental health

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/14/05

Assistant U.S. Attorney: Stephen StigallDefense Attorney: David Holman**PETITIONING THE COURT**

To issue a warrant
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

The offender tested positive for marijuana on February 8th, March 9th, April 11th, and July 26th, 2006. On July 26, 2006, Mr. Johnson was referred for outpatient treatment at the Jersey City Medical Center. Although he reported for his intake appointment on August 1, 2006, he failed to report anytime thereafter.

2

The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'

No monthly supervision reports have been received from the offender since May 2006.

3

The offender has violated the supervision condition which states 'You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.'

Throughout supervision, the offender failed to maintain regular and gainful employment. Despite being on supervision for nearly one year, the offender held only a single job for less than one month in May 2006.

4

The offender has violated the supervision condition which states 'You shall notify the probation officer within 72 hours of any change of residence or employment.'

Throughout supervision, the offender constantly relocated to new addresses without informing the probation office in a timely fashion.

5

The offender has violated the supervision condition which states 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'

While serving his supervised release term, the offender was also on state parole. On multiple occasions, the undersigned officer instructed the offender to comply with his parole requirements. However, he repeatedly failed to comply with his parole conditions. As a result, a parole warrant was issued on August 4, 2006, which remains active.

6

The offender has violated the supervision condition which states 'You shall support dependents and meet other family responsibilities.'

On August 23, 2006, the undersigned contacted the Hudson County Child Support Enforcement Office and learned that the offender was in arrears of \$5,998 with his child support obligations. Furthermore, despite being on a reasonable payment plan of \$29 per week, the offender has not submitted any payments in over a year.

I declare under penalty of perjury that the foregoing is true and correct.

By: Cayetano R. Castellano
U.S. Probation Officer
Date: 08/27/06

THE COURT ORDERS:

The Issuance of a Warrant
 The Issuance of a Summons. Date of Hearing: _____
 No Action
 Other



Signature of Judicial Officer



Date